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Facsimile: (703) 872-9306**From: Gregory P. Einhorn****Date: January 13, 2005**

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Comments:

Attorney Docket: 564462001001
Group Art Unit: 1652
Examiner: R. Hutson
Serial No.: 09/202,681
Filing Date: June 19, 1997
Inventor(s): Eric J. MATHUR et al.
Title: PHOSPHATASES, POLYNUCLEOTIDES ENCODING THEM AND METHODS OF MAKING AND USING THEM (AMENDED)

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal (1 page + duplicate)
3. Petition for 2 Month Extension of Time (1 page)
4. Amendment in Response to Final Office Action (10 pages)
5. Executed Declaration Under 37 CFR 1.132 w/ Copy of Curriculum Vitae (18 pages)

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SD-239398

PTO/SB/21 (09-04)


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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/202,681
		Filing Date	June 19, 1997
		First Named Inventor	Eric J. MATHUR
		Art Unit	1652
		Examiner Name	R. Hutson
Total Number of Pages in This Submission	33	Attorney Docket Number	564462001001

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (10 pages) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Executed Declaration Under 37 CFR 1.132 (4 pages) Curriculum Vitae of Declarant (14 pages) Fax Cover Sheet (1 page)
Remarks Customer No. 45975		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	January 13, 2005	Reg. No.	38,440

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Docket No.: 564462001001 /
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(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eric J. MATHUR et al.

Application No.: 09/202,681

Confirmation No.: 3238

Filed: June 19, 1997

Art Unit: 1652

For: PHOSPHATASES, POLYNUCLEOTIDES
ENCODING THEM AND METHODS OF
MAKING AND USING THEM (AMENDED)

Examiner: Richard Hutson, Ph.D.

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Responsive to the Final office action, mailed August 13, 2004, Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. A response was initially due November 13, 2004. Applicants herein submit a petition for a two month extension of time to January 13, 2004, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this Response is timely filed.

The amendments are reflected in the listing of claims which begin on page 3 of this paper.

Remarks begin on page 7 of this paper.

sd-239380

Application No.: 09/202,681

2

Docket No.: 564462001001

The following documents are also enclosed herewith:

- Transmittal Letter;
- Fee Transmittal in duplicate;
- Petition for 2 Month Extension of Time;
- Executed copy of Rule 132 declaration submitted May 18, 2004;
- Curriculum Vitae of Declarant; and
- Facsimile cover sheet.

sd-239380